

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

Franklin University, : CIVIL ACTION  
: NO. 21-1304  
Plaintiff :  
v. :  
: CGFNS International, Inc., :  
: Defendant :  
:

ORDER

**AND NOW**, this **14th** day of **April, 2021**, for the reasons stated in the accompanying Memorandum, it is hereby **ORDERED** as follows:

1. Franklin's request for declaratory and injunctive relief as it pertains to CGFNS's authority to implement its policy change at issue is **GRANTED**. Accordingly, CGFNS is prohibited from implementing a policy change requiring foreign nurses who completed their entry-level nursing program in a country not included in the relevant regulation (i.e., 8 C.F.R. § 212.15(h)(2)(iv) (2020)) to meet an English-language proficiency requirement before they can receive a certified statement;
2. Franklin's motion for a preliminary injunction (ECF No. 2) is **DENIED as moot**;<sup>1</sup>

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<sup>1</sup> The parties agreed to convert the hearing on the motion for a preliminary injunction to a hearing on the merits under Federal Rule of Civil

3. Franklin's request for declaratory and injunctive relief as it pertains to compelling CGFNS to issue certified statements to graduates of Franklin's RN-BSN program is **DISMISSED without prejudice**; and
4. A status and scheduling conference will be scheduled by the Court at a future date to determine how to proceed. A separate order will issue.

**AND IT IS SO ORDERED.**

*Eduardo C. Robreno*

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**EDUARDO C. ROBRENO, J.**